

**FILED**

## United States District Court

UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

DISTRICT OF New Mexico

~~MAY 18 2015~~

UNITED STATES OF AMERICA

**Y.**

**MATTHEW J. DYKMAN**  
**CRIMINAL COMPLAINT**

**Lawrence Roybal**

CASE NUMBER: 15-MJ-1729

**(Name and Address of Defendant)**

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my

knowledge and belief. On or about May 11, 2015 in Rio Arriba

county, in the State

**District of** New Mexico **defendant(s) did,**

(Track Statutory Language of Offense)

**commit an offense against the United States, unlawfully assaulted John Doe with a dangerous weapon, to wit a pitch fork, with intent to do bodily harm and without just cause or excuse. This occurred on the Jicarilla Apache Indian Reservation**

in violation of Title 18 United States Code, Section(s) 1153 and 113(a)(3).

I further state that I am a(n) Special Agent - FBI and that this complaint is based on the following facts:

Official Title

**See Attached Affidavit hereby incorporated by reference as if fully restated herein.**

Continued on the attached sheet and made a part hereof:



Yes



No

AUSA -

Sworn to before me and subscribed in my presence,

Federal Bureau of Investigation

Date May 18, 2015

B. Paul Briones, US Magistrate Judge

Name & Title of Judicial Officer

William A. Hall, II

Signature of Complainant

William A. Hall, II

Special Agent

Farmington, NM

City and State

at 9:40 am

B. Paul Briones

Signature of Judicial Officer

PS/AUSA

NEW MEXICO

ALBUQUERQUE, NEW MEXICO

United States of America )

vs )

Lawrence Roybal )

YEAR OF BIRTH: 1962 )

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AFFIDAVIT

I, William A. Hall, II, being duly sworn, hereby, depose and state as follows:

1. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI) and have been employed in that capacity for seventeen years. I am currently assigned to the Albuquerque Division of the FBI, and have primary investigative responsibility in violent crimes such as robbery, aggravated assaults, and homicide.

2. The information set forth in this affidavit has been derived from an investigation conducted by Special Agent William Hall of the FBI, Farmington Resident Agency, Jicarilla Apache Criminal Investigator Sampson Cowboy as well as other law enforcement officers of the Jicarilla Apache Nation.

3. On May 11, 2015, at approximately 6:30 P.M., Jicarilla police were dispatched to #7, Veneno Street in Dulce, New Mexico (NM) to do a welfare check on Lawrence Roybal at the request of his sister. This location is within the exterior boundaries of the Jicarilla Apache Indian Reservation.

4. Jicarilla Apache Police Officer, Andrew Gonzales, arrived on scene and spoke with Roybal's sister. The sister advised Roybal was probably intoxicated and that he wasn't to be in the house when he was intoxicated, because of a disabled family member in the house. The sister warned Gonzales to be careful of her brother. Also with the

sister was Roybal's mother.

5. Gonzales, approached the residence where Roybal was alleged to be. Gonzales announced himself and asked Roybal to open the door for the purposes of checking on his welfare. The door did not open and that is when Roybal's mother walked up to the door and started calling Roybal's name. Roybal answered his mother stating he wanted to be left alone and yelled at Gonzales to go away. Roybal's mother then told him to come out, so Gonzales could do a welfare check on him. Gonzales then told Roybal he wanted to check on him, because Roybal's family was concerned.

6. Roybal opened the door and had a pitch fork in his hands. Roybal began jabbing the pitch fork at Gonzales and threatened to throw the pitch fork at him. Roybal began telling Gonzales to just shoot him, because he didn't want to live anymore. While Roybal made these statements he was pointing at his chest where Gonzales should shoot him. Gonzales backed up and called for backup. Gonzales and Roybal's family continued to ask him to drop the weapon, but Roybal refused and continued to threaten Gonzales.

7. When Jicarilla Apache Game and Fish officer, Owen Phone arrived as backup, he too began to tell Roybal to drop the pitchfork. Roybal refused stating, "No I am tired of living, I want this fucking officer to shoot me, but he won't". At this point, another Jicarilla Police Officer arrived on scene, henceforth known as John Doe.

8. Doe began ordering Roybal to drop the pitch fork, but again Roybal refused. Doe then drew his TASER and approached Roybal. Doe told Roybal he had a TASER and that he was going to be TASED if he did not drop the pitch fork. Roybal swore at Doe stating he wasn't going to cooperate. Doe announced "TASER, TASER" and deployed the TASER. Doe saw one TASER probe had made contact in the chest area of Roybal's coat, and the other probe somewhere near Roybal's leg. Doe could see the prongs had not made good contact and that it had no effect on Roybal.

9. Roybal charged Doe with the pitch fork and Doe raised his left arm to block the jab. The pitch fork made contact with his left forearm, tearing through his shirt. Doe

grabbed the pitchfork with his left hand, using his right hand with the TASER to do a drive stun on Roybal's left anterior shoulder. At this point, Gonzales and Phone rushed Roybal, took him to the ground and restrained him. The pitch fork had pierced the left sleeve of Doe's uniform shirt, leaving a red mark and small abrasion on Doe's arm. Roybal was then transported to the Jicarilla Apache Detention Center and booked.

10. Based on the information provided, there is probable cause to believe that on or about May 11, 2015 Roybal, an enrolled member of the Jicarilla Apache Indian Tribe, was within the territorial jurisdiction of the Jicarilla Apache Indian Reservation when he assaulted John Doe, in violation of Title 18, United States Code, Section 1153 and Section 113(a)(3), assault with a dangerous weapon, with intent to do bodily harm.

11. I swear that this information is true and correct to the best of my knowledge and belief.

Affiant William Centall, II  
Special Agent  
Federal Bureau of Investigation

Subscribed and sworn before me  
on this 18 day of May, 2015.

B. Paul Burns  
United States Magistrate Judge